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Date: January 8, 2007

U.S. Patent Application

Re: Serial No. 09/717,278

Pages: 16 (including cover sheet)

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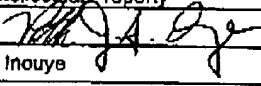
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/717,278
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	First Named Inventor	Wang Baldonado, Michelle Q.
	Art Unit	2152
	Examiner Name	Victor D. Lesniewski
Total Number of Pages in This Submission	Attorney Docket Number	A0834

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
5 Wang Baldonado et. al.

Serial No. 09/717,278

Filed: November 22, 2000
10 For: Systems And Methods For Performing
Sender-Independent Managing Of
Electronic Messages
15

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) Group Art Unit: 2152
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) Examiner:
) Victor Lesniewski
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REPLY BRIEF

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
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REPLY BRIEF ON BEHALF OF WANG BALDONADO ET. AL.:

Appellant appeals from the final Office action mailed May 12, 2006, in which currently-pending claims 1-8, 10-14, and 16-25 stand rejected. Appellant filed a Notice of Appeal on July 12, 2006 and an Appeal Brief on September 12, 2006. An Examiner's Answer was mailed on November 07, 2006. This Reply Brief is submitted in response to the Examiner's Answer, pursuant to 37 C.F.R. § 41.41(a)(1).

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1. STATUS OF CLAIMS

Rejected Claims 1-8, 10-14, and 16-25 are pending and are the subject of this Reply Brief. The claims involved in this appeal are included in the Claims Appendix 4.

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2. GROUNDS FOR REJECTION TO BE REVIEWED ON APPEAL

Whether Claims 1-8, 10-14, and 16-25 were properly rejected under 35
U.S.C. § 102(b) as being anticipated by U.K. Patent Application Publication No.
5 GB 2,324,627, filed by Simoni and Pan ("Pan").

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3. CLARIFYING ARGUMENT

This Reply Brief presents clarifying remarks in rebuttal to the Examiner's Answer. The primary distinction between Pan and the invention claimed is an ability to monitor and select messages from an information stream, which
5 applicant continues to assert is neither disclosed, taught nor suggested by Pan.

The issue is not whether Pan discloses digests. Rather, the issue is that Pan fails to disclose digests *from an information stream* (emphasis added). In Pan, users post news articles to newsgroups, allowing other users to participate in discussions in a non-real time fashion (*Pan*, p. 1, lines 13-17). The posted articles
10 are not received one after the other but instead, the articles are received when a user accesses a newsgroup or a group of related newsgroups by activating links to newsgroups or links to categories (*Pan*, p. 11, lines 3-7). These links thereby enable users to access the statically stored news articles.

Claims 1, 7, 13, and 19, however, recite obtaining a plurality of digests
15 from an information stream comprising a plurality of candidate messages. The information stream is neither static nor stored. Such limitation must be considered in the totality. By way of background, a digest tool allows a user to obtain a digest from an information stream, independent of options provided by a list manager or an information source (*Spec.*, p. 5, lines 4-8). Information streams include
20 electronic messages, such as email messages, or any serial message stream or serial database recording system events (*Spec.*, p. 9, lines 15-22). Serial messages, such as email messages, appear one at a time. A "serial database" stores messages, such as system events, in a database one at a time. An information stream allows each item in the stream to be monitored and selected, such that a
25 determination can be made regarding what is contained in that item without requiring anything else, such as further items from the information stream. A data stream, as in Pan, does not allow such monitoring and selecting because there are no digests from an information stream.

Moreover, a non-static information stream can be monitored. Here, one or
30 more sources of information, such as an electronic message stream, are monitored for messages meeting specified selection criteria (*Spec.*, p. 8, lines 14-19). If an

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incoming electronic message meets the selection criteria, that electronic message is selected (Spec., p. 8, lines 19-34). In contrast, Pan discloses a data stream, in which news articles are stored into a static database (*Pan*, p. 16, lines 13-20). The newsgroups are not from a serial one-at-a-time source, such as a serial message stream or serial database. A news server *per se* is not an information stream and Pan, thus, fails to suggest a source that could be identified as an information stream where messages can be monitored and selected, per claims 1, 7, 13, and 19.

Accordingly, Pan fails to teach each and every limitation and a *prima facie* case of anticipation under 35 U.S.C. § 102(b) has not been shown. The rejection under 35 U.S.C. § 102(b) cannot be sustained and should be withdrawn. Reconsideration of the pending claims and a Notice of Allowance are respectfully solicited. Appellant's undersigned attorney can be reached at (206) 381-3900.

Dated: January 8, 2007

By: 

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4. CLAIMS APPENDIX

- 1 1. (previously presented): An electronic message management system
2 comprising:
3 a digest specification device that allows a user to obtain a plurality of
4 digests from an information stream comprising a plurality of candidate messages
5 by allowing the user to specify a set of one or more sender-independent message-
6 based rules for each digest, wherein each set of one or more sender-independent
7 message-based rules specifies one or more characteristics of the candidate
8 messages;
9 an information selection device that monitors the information stream and
10 selects one or more of the plurality of candidate messages in the information
11 stream that satisfy all of the rules in at least one of the sets of sender-independent
12 message-based rules for at least one of the plurality of digests; and
13 an electronic message management device that determines, for each of the
14 selected candidate messages, which of the plurality of digests corresponds to the
15 set of sender-independent message-based rules satisfied by the particular selected
16 candidate message, that integrates each of the selected candidate messages into
17 their respective corresponding digests, and that determines and updates the digest
18 based on one or more of the sender-independent message-based rules that specify
19 characteristics of the digest.
- 1 2. (original): The system of claim 1, further comprising a digest
2 management device that delivers the digest to a predetermined destination upon
3 satisfaction of at least one of the one or more sender-independent message-based
4 rules.
- 1 3. (previously presented): The system of claim 1, further comprising
2 an information sampling device that delivers the selected candidate messages to a
3 predetermined destination based on one or more of the sender-independent
4 message-based rules.

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1 4. (original): The system of claim 1, further comprising a rule
2 management device that manages the one or more sender-independent message-
3 based rules.

1 5. (original): The system of claim 1, wherein the one or more sender-
2 independent message-based rules include a Boolean comparison, a statistical-
3 based selection criteria, a fuzzy logic based selection criteria, a keyword based
4 selection criteria, a date, a subject, a recipient or a sender-based selection criteria.

1 6. (original): The system of claim 1, wherein the electronic message
2 is at least one of an e-mail, an electronic message from a mailing list and bulletin
3 board posting.

1 7. (previously presented): A method for managing electronic
2 messages comprising:
3 obtaining a plurality of digests from an information stream comprising a
4 plurality of candidate messages by allowing a user to specify a set of one or more
5 sender-independent message-based rules for each digest, wherein each set of one
6 or more sender-independent message-based rules specifies one or more
7 characteristics of the candidate messages;
8 monitoring the information stream;
9 selecting one or more of the plurality of candidate messages in the
10 information stream that satisfy all of the rules in at least one of the sets of sender-
11 independent message-based rules for at least one of the plurality of digests;
12 determining, for each of the selected candidate messages, which of the
13 plurality of digests corresponds to the set of sender-independent message-based
14 rules satisfied by the particular selected candidate message, and integrating each
15 of the selected candidate messages into their respective corresponding digests;
16 and
17 determining and updating the digest based on one or more of the sender-
18 independent message-based rules that specify characteristics of the digest.

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1 8. (original): The method of claim 7, further comprising delivering
2 the digest to a predetermined destination upon satisfaction of at least one of the
3 one or more sender-independent message-based rules.

1 Claim 9 (cancelled).

1 10. (previously presented): The method of claim 7, further comprising
2 delivering selected candidate messages to a predetermined destination based on
3 one or more of the sender-independent message-based rules.

1 11. (original): The method of claim 7, wherein the one or more sender-
2 independent message-based rules include a Boolean comparison, a statistical-
3 based selection criteria, a fuzzy logic based selection criteria, a keyword based
4 selection criteria, a date, a subject, a recipient or a sender-based selection criteria.

1 12. (original): The method of claim 7, wherein the electronic message
2 is at least one of an e-mail, an electronic message from a mailing list and bulletin
3 board posting.

1 13. (previously presented): An information storage media comprising
2 information that manages electronic messages comprising:
3 information that obtains a plurality of digests from an information stream
4 comprising a plurality of candidate messages by allowing a user to specify a set of
5 one or more sender-independent message-based rules for each digest, wherein
6 each set of one or more sender-independent message-based rules specifies one or
7 more characteristics of the candidate messages;
8 information that monitors the information stream;
9 information that selects one or more of the plurality of candidate messages
10 in the information stream that satisfy all of the rules in at least one of the sets of
11 sender-independent message-based rules for at least one of the plurality of
12 digests; and

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13 information that determines, for each of the selected candidate messages,
14 which of the plurality of digests corresponds to the set of sender-independent
15 message-based rules satisfied by the particular selected candidate message, and
16 integrates each of the selected candidate messages into their respective
17 corresponding digests; and

18 information that determines and updates the digest based on one or more
19 of the sender-independent message-based rules that specify characteristics of the
20 digest.

1 14. (original): The information storage media of claim 13, further
2 comprising information that deliver the digest to a predetermined destination upon
3 satisfaction of at least one of the one or more sender-independent message-based
4 rules.

1 Claim 15 (cancelled).

1 16. (previously presented): The information storage media of claim 13,
2 further comprising information that delivers the selected candidate messages to a
3 predetermined destination based on one or more of the sender-independent
4 message-based rules.

1 17. (original): The information storage media of claim 13, wherein the
2 one or more sender-independent message-based rules include a Boolean
3 comparison, a statistical-based selection criteria, a fuzzy logic based selection
4 criteria, a keyword based selection criteria, a date, a subject, a recipient or a
5 sender-based selection criteria.

1 18. (original): The information storage media of claim 13, wherein the
2 electronic message is at least one of an e-mail, an electronic message from a
3 mailing list and bulletin board posting.

1 19. (previously presented): An electronic message management system
2 comprising:

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3 a digest specification system that allows a user to obtain a plurality of
4 digests from an information stream comprising a plurality of candidate messages
5 by allowing the user to specify a set of one or more sender-independent message-
6 based rules for each digest, wherein each set of one or more sender-independent
7 message-based rules specifies one or more characteristics of the candidate
8 messages;

9 a data selection system that monitors the information stream and identifies
10 one or more of the plurality of candidate messages in the information stream that
11 satisfy all of the rules in at least one of the sets of sender-independent message-
12 based rules for at least one of the plurality of digests; and

13 an electronic message management system functionally associated with
14 the data selection system, the electronic message management system adapted to
15 determine, for each of the identified candidate messages, which of the plurality of
16 digests corresponds to the set of sender-independent message-based rules satisfied
17 by the particular selected candidate message, to integrate each of the identified
18 candidate message into their respective corresponding digests, and to determine
19 and update the digest based on one or more of the sender-independent message-
20 based rules that specify characteristics of the digest.

1 20. (previously presented): The electronic message management
2 system of claim 19, wherein the data selection system samples one or more of the
3 identified candidate messages which meet one or more supplemental selection
4 criteria.

1 21. (previously presented): The electronic message management
2 system of claim 1, wherein the electronic message management device selects one
3 or more of the candidate messages which meet one or more supplemental
4 selection criteria.

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- 1 22. (previously presented): The method for managing electronic
2 messages of claim 7, further comprising selecting one or more of the candidate
3 messages which meet one or more supplemental selection criteria.
- 1 23. (previously presented): The information storage media of claim 13,
2 further comprising information that selects one or more of the candidate messages
3 which meet one or more supplemental selection criteria.
- 1 24. (previously presented): The method of claim 7, further comprising
2 managing the one or more sender-independent message-based rules.
- 1 25. (previously presented): The information storage media of claim 13,
2 further comprising information that manages the one or more sender-independent
3 message-based rules.

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5. EVIDENCE APPENDIX

None.

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6. RELATED PROCEEDINGS APPENDIX

None.